

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

WALTER CUMMINGS,

Plaintiff,

Case No. 06-14909

v.

District Judge Arthur J. Tarnow
Magistrate Judge Donald A. Scheer

PATRICIA CARUSO, *et al.*,

Defendants.

/

ORDER DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT [DE 26]

Before the Court is Plaintiff's Motion for Summary Judgment [DE 26], filed May 8, 2007. On December 17, 2007, the Court filed an Order of assignment of counsel. To permit Plaintiff's appointed counsel to determine appropriate motion practice in this case,

IT IS HEREBY ORDERED that Plaintiff's Motion for Summary Judgment [DE 26] is DENIED WITHOUT PREJUDICE.

SO ORDERED.

S/ARTHUR J. TARNOW

Arthur J. Tarnow
United States District Judge

Dated: February 13, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 13, 2008, by electronic and/or ordinary mail.

S/THERESA E. TAYLOR
Case Manager